

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

RICKY SMITH

PLAINTIFF

VS.

CASE NO. 5:04CV0100

**BOE FONTAINE, in his official
capacity as Sheriff of Jefferson County,
Arkansas; BILL LINDSAY, in his
official capacity; RON SHELBY, in his
official capacity; KENNETH SLOCUMB,
in his official capacity; and STEVE
MCFATRIDGE, in his official capacity;
INSLEY'S INC. a/k/a Jimmy's Wrecker
Service a/k/a Insley's Towing; and
CORRECTIONAL MEDICAL SERVICES, INC.**

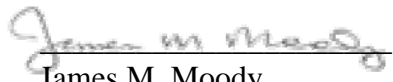
DEFENDANTS

ORDER

Pending is Defendant, Correctional Medical Services, Inc.'s motion to dismiss, docket # 51, and Plaintiff's motion for leave to amend complaint, docket # 57. Plaintiff requests leave to file an amended complaint to address the issues raised in Defendant, Correctional Medical Services, Inc.'s motion to dismiss. For good cause shown, and in the interest of justice, Plaintiff's motion to amend complaint is GRANTED. Plaintiff shall file his amended complaint within five (5) days of the entry of this Order.

Defendant's motion to dismiss, docket # 51, is denied without prejudice to renew.

IT IS SO ORDERED this 2nd day of August, 2005.


James M. Moody
United States District Judge